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August 13, 2020

VIA ECF

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Carlton Gray v. Raul Ramos, Raisa Katz, Leon Scrimmager, Amber Testa, and
David Onuora
Docket No.: 19-CV-3836
Our File No.: 611-3286

Dear Judge Failla:

Our law firm represents defendants Raul Ramos, M.D., Leon Schrimmager, M.D., David Onuora, P.A., Raisa Katz, M.D. and Amber Testa, Psy.D. in the above referenced Civil Rights lawsuit brought by *pro se* plaintiff, Carlton Gray.

Defendants filed a Motion to Dismiss on March 10, 2020. Pursuant to Your Honor's Order dated July 8, 2020, an Opposition to defendants' Motion to Dismiss was to be filed on or before July 31, 2020. To date, this office has not received an Opposition or any correspondence from Mr. Gray. Therefore, the defendants respectfully request that the Motion to Dismiss be deemed fully submitted and decided.

Lastly, in light of limitations caused by COVID-19, kindly advise if Your Honor requires a courtesy copy of defendants' Motion to Dismiss.

HEIDELL, PITTONI, MURPHY & BACH, LLP

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Thank you for your attention and consideration of this request.

Respectfully submitted,

A handwritten signature in black ink that reads "Michele Greco".

Michele C. Greco

MCG/jc

cc: **VIA CERTIFIED MAIL RRR**

Carlton Gray, Pro Se

DIN No.: 19R0750

Wyoming Correctional Facility

P.O. Box 501

Attica, New York 14011-0501

The Court is in receipt of Defendants' letter requesting an update as to the status of briefing for Defendants' motion to dismiss, and seeking guidance on whether the Court expects a courtesy copy per the Court's Individual Rules. (Dkt. #45). As to the former issue, the Court refers the parties to the Court's Order dated July 8, 2020. (Dkt. #44). The Court will rule on the motion in due course. As to the latter issue, the Court would still like a courtesy copy of Defendants' motion to dismiss but understands if Defendants are unable to provide one due to the restrictions imposed by the COVID-19 pandemic. The Court will not penalize Defendants for forgoing submission of a courtesy copy.

Dated: August 13, 2020

SO ORDERED.

New York, New York

A copy of this Order was mailed by Chambers to:

Carlton Gray

NYSID: 00344553Z

DIN No. 19R0750

Wyoming Correctional Facility

P.O. Box 501

Attica, NY 14011-0501

A handwritten signature in black ink that reads "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE